

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA  
BILLINGS DIVISION

**FILED**

NOV 18 2016

Clerk, U.S. District Court  
District Of Montana  
Billings

UNITED STATES OF AMERICA,

Plaintiff,

vs.

TANNER WAR RIDES HORSE,

Defendant.

CR 14-61-BLG-SPW

ORDER

On November 1, 2016, United States Magistrate Judge Carolyn Ostby entered Findings and Recommendations (Doc. 41) with respect to the September 30, 2016, petition for revocation of Defendant's supervised release (Doc. 28). Although the parties were notified of their right to file objections to the Findings and Recommendations within 14 days, neither party filed objections. Failure to object waives the right to review. Fed. R. Crim. P. 59(b)(2). But consistent with the Court's "full authority" to review the Findings and Recommendations under any standard it deems appropriate, *Thomas v. Arn*, 474 U.S. 140, 154 (1958), the Court reviews for clear error. Clear error exists if the Court is left with a "definite and firm conviction that a mistake has been committed." *United States v. Syrax*, 235 F.3d 422, 427 (9th Cir. 2000).

Based on Defendant's admissions to the alleged violations, Judge Ostby recommends his supervised release be revoked. Judge Ostby further recommends that this Court sentence War Rides Horse to four months of incarceration with 32 months of supervised release to follow. Judge Ostby's Findings and Recommendations are without clear error and hereby adopted in full.

IT IS ORDERED that Defendant's supervised release is revoked.

Judgment will be entered by separate document.

DATED this 17<sup>th</sup> day of November, 2016.

  
Susan P. Watters  
SUSAN P. WATTERS  
United States District Judge